

**ANNUAL REPORT  
OF THE COMMISSION ON  
DEVELOPMENT DISABILITIES**



**Indiana Legislative Services Agency  
200 W. Washington St., Suite 301  
Indianapolis, Indiana 46204-2789**

**November, 2010**

# INDIANA LEGISLATIVE COUNCIL

## 2010

Senator David Long

Vice-Chairperson

Fort Wayne

Speaker B. Patrick Bauer

Chairperson

South Bend

Senator Vi Simpson

Bloomington

Representative Brian Bosma

Indianapolis

Senator Brandt Hershman

Monticello

Representative Earl Harris

East Chicago

Senator Connie Lawson

Danville

Representative Dale Grubb

Covington

Senator Brent Steele

Bedford

Representative Scott Pelath

Michigan City

Senator James Merritt

Indianapolis

Representative Russell Stilwell

Boonville

Senator Connie Sipes

New Albany

Representative William Friend

Macy

Senator Timothy Lanane

Anderson

Representative Kathy Richardson

Noblesville

John M. Ross  
Executive Director  
Legislative Services Agency

# **Commission on Developmental Disabilities**

## **Membership Roster**

### **Senators**

**Connie Lawson  
Danville**

**Connie Sipes  
New Albany**

### **Representatives**

**Sheila Klinker, Chairperson  
Lafayette**

**Suzanne Crouch  
Evansville**

### **Lay Members**

**Sally Lowery  
Terre Haute**

**Christopher Durcholz  
Brazil**

**Suda Hopkins  
Gary**

**Scott Sefton  
Gary**

**Betty Williams  
Richmond**

**Susan Ferverda Hoback  
Zionsville**

**Bettye Dunham  
Elizabeth**

**Sharon Kooi  
Crown Point**

### **Staff**

**Susan Kennell  
Attorney for the Commission**

**William Brumbach  
Fiscal Analyst for the Commission**

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Commission can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## **I. STATUTORY DIRECTIVE**

The Indiana Commission on Mental Retardation and Developmental Disabilities was established by P.L. 78-1994 to do the following:

- (1) develop a long-range plan for community-based services for the developmentally disabled; and
- (2) review, make recommendations, and monitor changes regarding services to the mentally retarded and developmentally disabled population.

P.L. 245-1997 amended the original legislation, extending the life of the Commission to January 1, 2001. P.L. 272-1999 further extended the life of the Commission to January 1, 2005, and added the following responsibilities:

- (1) review and make recommendations regarding the implementation of a comprehensive plan ("317 Plan ") prepared by the Developmental Disabilities Task Force; and
- (2) review and make recommendations regarding the development by the Division of Disability and Rehabilitative Services of a statewide plan to address quality assurance in community-based services.

P.L. 242-2001 added an annual review of the Infants and Toddlers with Disabilities Program ("First Steps ") to the Commission's duties.

In 2002, the Commission was converted to a permanent statutory commission in P.L. 190-2002 (see IC 2-5-27.2). In addition, the Commission was required to:

- (1) study and make recommendations for the state to use state employees or contract with a private entity to manage and implement home- and community based services waivers;
- (2) study and make recommendations regarding state funding needed to provide supplemental room and board costs for individuals who otherwise qualify for residential services under the home and community based services waivers; and
- (3) monitor and recommend changes for improvements in the implementation of home and community based services waivers.

In 2009, the name of the Commission was changed to the Commission on Developmental Disabilities.

## **II. SUMMARY OF WORK PROGRAM**

The Commission met three times during the 2010 interim session, on August 17, 2010, September 20, 2010, and October 26, 2010.

Meeting minutes for the Commission can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>

At the August 17, 2010, meeting, the Commission received the annual updates from the Family

and Social Services Administration (FSSA), Disability and Rehabilitative Services Division (DRS), on: (1) the waiting list for the Medicaid waiver; (2) budget issues facing DRS; (3) pre-vocational and jobs programs; (4) the impact of transferring individuals with developmental disabilities from mental health institutions to community programs; (5) future issues facing DRS; and (6) First Steps. The meeting also included updates from the Indiana Association of Rehabilitation Facilities (INARF), ARC of Indiana, self advocates, and representatives of work services programs.

At the September 20, 2010, meeting, the Commission received testimony concerning pre-vocational programs. The Commission also heard testimony from parents, guardians, and family members of individuals with developmental disabilities expressing their concerns for the care received by individuals with developmental disabilities. FSSA provided follow-up information from their prevention at the August 17, 2010, meeting. The Commission also received follow-up comments from advocacy groups. Requests for legislation for the Commission to consider at the final meeting were discussed.

At the October 26, 2010, meeting, the Commission received testimony from FSSA answering questions from previous meetings. Parents, guardians, and family members of individuals with developmental disabilities discussed the issues they have with FSSA. Advocacy groups provided testimony on their concerns. The Commission considered legislative proposals.

### **III. COMMISSION FINDINGS AND RECOMMENDATIONS**

The Commission recommends the following legislative proposals:

PD 3357      Require FSSA to study the number and types of audits and surveys required of entities providing services paid for by the Division of Disability and Rehabilitative Services

Concurrent Resolution 20111353.001      Urges the Commission to study music therapy in the 2011 interim

Concurrent Resolution 20111499.001      Urges the Commission to study the need for a program allowing 60 day emergency placement in group homes

Concurrent Resolution 200111498.001      Urges the Criminal Law and Sentencing Policy Study Committee to study the creation of a database listing persons convicted for crimes where the victims are individuals with developmental disabilities

Complete minutes from the meetings can be found at <http://www.in.gov/legislative/>